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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,339	03/23/2004	Shigeto Oeda	62807-179	2198
<div>7590 01/05/2007 MCDERMOTT, WILL & EMERY 600 13th Street, N.W. Washington, DC 20005-3096</div>			<div>EXAMINER URICK, MATTHEW T</div>	
			ART UNIT	PAPER NUMBER
			2113	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/05/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/806,339	Applicant(s) OEDA ET AL.	
	Examiner Matt Urick	Art Unit 2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Non-Final Official Action

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Graham (US 6,411,974).

As per claim 1, Graham discloses:

A method of managing log data comprising the steps of:

judging a format of log data (column 2 lines 39-47: different parse rules are chosen depending on data formats); and

if the judged format of the log data is different from a predetermined format, converting the format of the log data into the predetermined format for management of the log data (column 2 lines 40-47: data is converted into a normalized format).

As per claim 2, Graham discloses:

A system of managing log data comprising:

a terminal having a transmitter for transmitting user log data (column 2 lines 48-50: the text streams are sent to a memory device); and

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a log data managing device comprising a receiver for receiving the user log data transmitted from the transmitter (column 2 lines 48-50: the memory device receives the data),

a judge for judging a format of the received user log data (column 2 lines 39-47: different parse rules are chosen depending on data formats),

a normalizer for converting the user log data to have a predetermined format if the judged format is different from the predetermined format (column 2 lines 40-47: data is converted into a normalized format), and

a manager for collecting and managing the converted user log data (column 2 lines 44-47: output interface collects data and transforms the normalized data into device specific data).

As per claim 4, Graham discloses:

A system of managing log data according to claim 2, further comprising

a log data acquiring device for acquiring the converted user log data wherein the log data managing device notifies the converted log data to the log data acquiring device (column 6 lines 25-35: the normalized data is sent to output devices).

As per claim 5, Graham discloses:

A system of managing log data according to claim 4, wherein in response to a request of log data acquisition from the log data acquiring device, the log data

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managing device notifies the converted log data to the log data acquiring device (column 11 lines 25-34: the process may query if any other output devices are requesting a copy of the data, instead of always sending the data to every output device).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham (US 6,411,974) in view of McFarlane (US 2002/0111887 A1).

As per claim 3, Graham does not disclose:

A system of managing log data according to claim 2, further comprising a user data acquiring module for acquiring user data of a user, an ID acquiring module for acquiring a user ID for identifying the user, and a log data acquiring module for acquiring user log data from the user ID and the user data.

McFarlane disclose a system which (a) acquires user data (§ 10 lines 1-10: usage data is stored and displayed for each employee), (b) acquires identification information (§ 10 lines 11-19: the information is stored categorized by employee, table 1, after § 29: results may be displayed according to user identification), and (c) acquires log data (also displayed in table 1). McFarlane discloses that his system is able to take multiple incompatible logs and store them as one easily accessible log (§ 10), and that such logs can be used for troubleshooting (§ 8). Graham discloses that system logs are useful for troubleshooting, but that compatibility of logs can be an issue (column 1 lines 35-55). Using McFarlane's system would enable a troubleshooter to tie failure info to a particular user or event on a network. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the monitoring system of McFarlane into the log management system of Graham, improving troubleshooting and logging capabilities.

As per claim 6, Graham discloses:

A terminal for transmitting user log data to a log data managing device,
the log data managing device having a receiver for receiving the user log data
(column 2 lines 48-50: the memory device receives the data),

a judge for judging a format of the received user log data (column 2 lines 39-47:
different parse rules are chosen depending on data formats),

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a normalizer for converting the user log data to have a predetermined format if the judged format is different from the predetermined format (column 2 lines 40-47: data is converted into a normalized format), and

a manager for collecting and managing the converted user log data (column 2 lines 44-47: output interface collects data and transforms the normalized data into device specific data),

McFarlane does not disclose:

wherein the terminal comprises: a user data acquiring module for acquiring user data of a user of the terminal;

an ID acquiring module for acquiring a user ID for identifying the user; and

a log data acquiring module for acquiring user log data from the user ID and the user data.

McFarlane disclose a system which (a) acquires user data (§ 10 lines 1-10: usage data is stored and displayed for each employee), (b) acquires identification information (§ 10 lines 11-19: the information is stored categorized by employee, table 1, after § 29: results may be displayed according to user identification), and (c) acquires log data (also displayed in table 1). McFarlane discloses that his system is able to take multiple incompatible logs and store them as one easily accessible log (§ 10), and that such logs can be used for troubleshooting (§ 8). Graham discloses that system logs are useful for troubleshooting, but that compatibility of logs can be an issue (column 1 lines 35-55). Using McFarlane's system would enable a troubleshooter to tie failure info to a

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particular user or event on a network. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the monitoring system of McFarlane into the log management system of Graham, improving troubleshooting and logging capabilities.

As per claim 9, Graham discloses:

A method of managing log data according to claim 1, wherein the conversion into the predetermined format means setting a flag if a numerical value in an item of the user log data is not 0.

McFarlane discloses that his invention is able to tag irregularly high usage values in the table (§ 32, with reference to table 1), as well as underline nonzero values, indicating that a user may click on the values for further information (§ 32 last 5 lines). McFarlane discloses that this makes the log more easily accessible (§ 32 lines 7-12). Graham discloses that his invention is designed to make multiple incompatible logs easier to access, which enables the administrator to observe more information (column 2 lines 11-25). Flagging certain values would enable the administrator to consider more information when evaluating the performance of the system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the monitoring system of McFarlane into the logging system of Graham, improving the logging capabilities of the system.

As per claim 10, Graham discloses:

A method of managing log data according to claim 1, wherein the conversion into the predetermined format means obtaining a time duration from a time if an item of the user log data is the time and an item of the predetermined format is the time duration.

McFarlane discloses that his invention is able to record duration values (§ 10 last 3 lines). McFarlane discloses that this can be used to determine items of interest for abuse or troubleshooting purposes (§ 10 lines 6-10, § 8). Graham discloses that his invention is designed to make multiple incompatible logs easier to access, which enables the administrator to observe more information (column 2 lines 11-25). Obtaining time duration values from the data would enable the administrator to consider more information when evaluating the performance of the system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the monitoring system of McFarlane into the logging system of Graham, improving the logging capabilities of the system.

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham (US 6,411,974) in view of McFarlane (US 2002/0111887 A1) as applied above, and in further view of Bhagvath (US 2002/0021665 A1).

As per claim 7, Graham discloses:

A terminal according to claim 6, further comprising a public ID generator for generating a public ID by processing the user ID acquired by the ID acquiring module.

Bhagavath discloses a monitoring system that is able to make usage data anonymous by assigning a random number to each data set instead of the user ID (§

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47). Bhagavath discloses that this prevents unwanted access of private user information when logging data (§ 47). McFarlane discloses that his invention attempts to address privacy concerns of logging usage data (§ 9 lines 5-10) , and that the log data may be used by network troubleshooters (§ 8). Making the data anonymous would enable the information to be useful for troubleshooting without violating the privacy of the users. Additionally, Graham discloses that his system is designed to output the appropriate data to the appropriate device (column 1 line 66 – column 3 line 10). This would enable the system to organize the data without outputting user IDs if such data is not considered appropriate. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the monitoring devices of Bhagavath into the systems of McFarlane and Graham, improving logging abilities of the system.

As per claim 8, Graham discloses:

A terminal according to claim 6, wherein the public ID generator generates the public ID by replacing the user ID with a random number.

Bhagavath discloses a monitoring system that is able to make usage data anonymous by assigning a random number to each data set instead of the user ID (§ 47). Bhagavath discloses that this prevents unwanted access of private user information when logging data (§ 47). McFarlane discloses that his invention attempts to address privacy concerns of logging usage data (§ 9 lines 5-10) , and that the log data may be used by network troubleshooters (§ 8). Making the data anonymous would enable the information to be useful for troubleshooting without violating the privacy of the users.

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Additionally, Graham discloses that his system is designed to output the appropriate data to the appropriate device (column 1 line 66 – column 3 line 10). This would enable the system to organize the data without outputting user IDs if such data is not considered appropriate. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the monitoring devices of Bhagavath into the systems of McFarlane and Graham, improving logging abilities of the system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt Urick whose telephone number is (571) 272-0805. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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